



Matthew H. Mead, Governor

Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Todd Parfitt, Director

April 4, 2014

Ms. Francisca M. Chambus
US Environmental Protection Agency
1595 Wynkoop Street MC: 8P-W-GW
Denver, CO 80202-1129

RE: Wyoming Storage Tank Program (STP) LUST Prevention Grant and LUST Trust Fund Cleanup Grant Semi-Annual Status Report (October 1, 2013 – March 31, 2014)

Dear Ms. Chambus:

This report provides required information for Wyoming's LUST Prevention Grant and LUST Trust Fund Cleanup Grant. Financial Status Report requirements listed under 40 CFR 31.41 are completed annually by WDEQ/Administration and submitted to EPA, Region 8, Grants Office, with a copy to EPA, Region 8, UST/LUST Office. That reporting is not duplicated in this report.

BACKGROUND: The Wyoming STP regulates underground storage tanks (USTs) that meet the definition of an UST found in the federal Underground Storage Tank Regulations. STP-regulated aboveground storage tanks (ASTs) are defined as ASTs used by a fuel dealer to dispense gasoline or diesel to the public. This report contains information for STP-regulated USTs only.

TABLE 1 – UST OVERVIEW

	9/30/2013	3/31/2014
Number of UST <i>Facilities</i> not Permanently Out-of-Use (POU) (Active and Temporarily Out-of-Use [TOU])	690	685
Number of Petroleum UST <i>Systems</i>	10,071	10,078
Number of UST <i>Systems</i> Temporarily Out of Use (TOU)	138	140
Number of Active Petroleum UST <i>Systems</i> (Not POU)	1,814	1,805
Number of Hazardous Substance UST <i>Systems</i>	29	29
Number of Active Hazardous Substance UST <i>Systems</i> (Not POU)	6	6



SECTION 1 – SUMMARY OF ACTIVITIES

A. LUST Prevention: The STP compliance section continued to perform routine and follow up inspections, installation inspections, and tank removal inspections; Operator Annual Inspection Report reviews; facility testing result reviews; operator, tester, and installer licensing; and issuing Notices of Violations to facilities out-of-compliance with STP rules and regulations. Operator training was conducted and installer/tester roundtables were held. Owners/operators were contacted, as needed, to notify the facility of upcoming testing deadlines. The compliance section received and responded to calls from the regulated community and the public.

B. LUST Trust Fund Cleanup: The STP remediation section continued remediation efforts at contaminated sites in on-going and new projects. This work included subsurface investigation, remedial alternative design, on-going operation and maintenance activities, construction of designed remedial alternatives, and decommissioning. The remediation section received and responded to calls from the regulated community and the public and assisted with tank system installation and removal inspections.

SECTION 2 – ACCOMPLISHMENTS/PROBLEMS

A. LUST Prevention:

Cathodic Protection Testing: There are 613 USTs in Wyoming that are protected against corrosion using sacrificial anodes. This number includes both active and TOU tanks. As of March 31, 2014, only 5 of these tanks had not been tested within the last 3 years. These tanks are located at 5 facilities. This is a 99.2% compliance rate. There are 386 tanks in Wyoming that are protected against corrosion by impressed current systems. Only 8 tanks at 3 locations have not been tested within the last 3 years. This is a 97.9% compliance rate.

Inspections: There are no facilities remaining for state inspection during this calendar year to meet the required 3-year inspection cycle. Wyoming is attempting to inspect every facility on a 2-year interval. From April 1, 2013, through March 31, 2014, the STP conducted 292 on-site compliance inspections; 18 of these were in “Indian Country.” The STP conducted 107 on-site compliance inspections during the current federal fiscal year; none of these were in “Indian Country.”

Significant Operational Compliance (SOC) Measures: The STP conducted 292 compliance inspections during the past 12 months. SOC compliance rates are:

SOC-1: 93.8% - 18 facilities were out-of-compliance; 2 of these were in “Indian Country”
SOC-2: 95.6% - 13 facilities were out-of-compliance; 1 of these was in “Indian Country”
SOC-3: 89.7% - 30 facilities were out-of-compliance; 2 of these were in “Indian Country”

Operator’s Annual Inspection (OAI) Reports: During an OAI, the operator is required to complete all tasks the STP does during a field inspection and fully document the inspection in a report to the program. Between April 1, 2013, and March 31, 2014, operators conducted, documented, and reported 650 inspections. All OAI Reports submitted have been reviewed by the STP.

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Enforcement: Since the beginning of the current federal fiscal year, the STP issued two Notices of Violation. These were issued to: Kum and Go #953(Buffalo) and Wamsutter Phillips 66 (Wamsutter).

Five Notices of Violations were resolved during the current federal fiscal year: Krafts Service Center (Worland), Arlington Outpost (McFadden), Laura's Place (Cora), Kum and Go #963 (Kemmerer), and Meadowlark Lake Lodge (Ten Sleep).

During the current federal fiscal year, the STP issued one delivery prohibition (red tag) to Wamsutter Phillips 66 in Wamsutter. Red tags were lifted at Krafts Service Center in Worland and Fort Devils Tower in Devils Tower.

Compliance with the Underground Storage Tank Compliance Act of 2005:

- *Inspect every facility not inspected since December 22, 1998:* This has been completed.
- *Inspect every facility on a three (3) year schedule:* This has been completed. Wyoming is attempting to inspect every facility on a two (2) year schedule.
- *Write compliance report of government owned tanks:* This was completed on schedule and updated on schedule. This report is available on our website.
- *Require new tanks and lines within 1,000 feet of a community water supply or a potable water supply well to be installed as double wall tanks and lines:* The state statute was amended to require double-wall tanks and lines regardless of distance from a water system.
- *Make available a list of all facilities and underground tanks, statewide:* This list is available on our website. The public records information is available on our website and is updated annually on September 30.
- *All states must have the ability to prohibit deliveries to non-compliant tanks:* This rule was promulgated on August 1, 2008.
- *States must require that operators of underground storage tanks be certified:* The STP chose to require operators to pass either the International Code Council (ICC) - Underground Storage Tank Operator's Test (U6) or the International Code Council - Wyoming State Specific Test (W7). The rule was promulgated on November 10, 2008. The Office of Underground Storage Tanks (OUST) had determined that our rule was less stringent than the federal guidance on this matter. The rules were revised in response to OUST's concerns. The revised operator training rules were signed by the Governor on December 14, 2012, and filed with the Secretary of State's Office on December 17, 2012.

Problems: None.

B. LUST Trust Fund Cleanup: As of March 31, 2014, there were 2,763 confirmed releases; 112 of these were in "Indian Country." We have initiated cleanup at 2,411 releases using state funds (including 110 releases in "Indian Country") and 64 releases using LUST Trust Funds. A total of 1,752 releases have been cleaned up using state funds (including 67 releases in "Indian Country") and 14 releases (including 2 releases using ARRA funds) using LUST Trust Funds. During the current federal fiscal year, cleanup was completed at 56 releases (2 of which were in "Indian Country") and cleanup was initiated at 80 releases.

During the reporting period, we entered into an engineering contract for subsurface investigation and design for one project (Albany County 2) comprising 18 releases. During the reporting period, we implemented corrective action for five projects: Lincoln/Sublette Counties/Pinedale 2 (26 releases), North Big Horn Basin (16 releases), a portion of Worland 2 (17 releases), Fort Bridger (7 releases), and a portion of West Park County (9). Corrective action was also implemented at single sites Kemmerer (2 releases), Thermopolis (1 release), Yellowstone National Park (1 release), and Worland 1 (1 release).

During the next reporting period, we anticipate entering into engineering contracts for the South Casper, Dubois, and Lander/Hudson projects. These three projects comprise 95 releases. Cleanup will be initiated (Corrective Action Plan implemented) for the following projects: Pilot Butte, the remaining Worland 2 sites, Rock Springs 4, Greybull/Basin 2, and the remaining West Park County (total of 85 releases).

Problems: None. The program continues to start projects as funds are available.

SECTION 3 - SCHEDULES

A. LUST Prevention: The STP is on schedule to complete required compliance activities within timelines established in the grant work plan.

B. LUST Trust Fund Cleanup: By statute, the STP must begin corrective action based on a site's placement on the priority list. Lower priority sites in close geographic proximity to a high priority site are combined into projects because it is more cost effective to complete corrective action at a group of sites in close proximity to one another rather than one site at a time. Funding for the program is limited to the balance in the Corrective Action Account. When funding becomes available, new projects are started. Based on current projections, the last known contaminated site will be investigated during state fiscal year 2019 (calendar year 2018) and remediated in state fiscal year 2027 (calendar year 2026).

SECTION 4 – FUNDS

A. LUST Prevention: Wyoming received a federal fiscal year 2014 LUST Prevention grant in the amount of \$200,000. The state match was \$66,667, for a total of \$266,667. The total federal fiscal year 2014 LUST Prevention Grant (federal plus state match) used between October 1, 2013, and March 31, 2014, was \$167,260 (subject to reconciliation of final costs on the Federal Financial Report). These funds were used to complete LUST prevention activities authorized in the work plan.

B. LUST Trust Fund Cleanup: Wyoming received a federal fiscal year 2014 LUST Trust Fund Cleanup grant in the amount of \$638,207. The state match was \$70,912, for a total of \$709,119. The total federal fiscal year 2014 LUST Trust Fund Cleanup Grant (federal plus state match) used between October 1, 2013, and March 31, 2014, was \$430,176 (subject to reconciliation of final costs on the Federal Financial Report). Typically sites are not remediated using the LUST Trust Fund Cleanup Grant because the majority of facilities in Wyoming are in the state-funded cleanup program. STP project manager salaries and fringe benefits are paid using the federal LUST Trust Fund Cleanup Grant for remediation project contracts administered by the state.

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SECTION 5 – ESTIMATES

A. LUST Prevention: We expect to use the \$99,407 remaining in the LUST Prevention Grant by the end of the federal fiscal year. The funds will be used for compliance inspections and other activities approved under the 2014 work plan.

B. LUST Trust Fund Cleanup: We expect to use the \$278,943 remaining in the LUST Trust Cleanup Grant by the end of the federal fiscal year. Remediation will continue at eligible sites using the state's Corrective Action Account after the grant is exhausted.

SUMMARY: At this time, the Wyoming STP has an excellent compliance rate (89.7% SOC-3 for the current reporting period). Corrective action is proceeding as quickly as possible, given the financial and technical constraints that we work under. The STP has met the requirements of the Underground Storage Tank Compliance Act of 2005.

Numbers presented in this report were obtained from the STP database as of March 31, 2014. This report contains both "non-Indian Country" sites and "Indian Country" sites. "Indian Country" sites are those identified by EPA as in "Indian Country." However, the State of Wyoming does not agree with the federal definition of "Indian Country" in Wyoming. These data are provided as requested by EPA only to reconcile reporting between Wyoming and EPA. Submittal of these data as "Indian Country" does not constitute an agreement by Wyoming of the federal "Indian Country" definition in Wyoming.

Lists generated as a result of the database queries are on file with the STP and are available upon request.

Sincerely,



Karen L. Halvorsen, P.E.
Storage Tank Program Manager
Solid and Hazardous Waste Division

Cc: Luke Esch, SHWD Administrator
Steve Toalson, WDEQ Administration